

Think about the child's educational needs in order to offer a big picture for planning.

Think what options might work for the child and how you would know that one chosen was working, keeping in mind that there is not just one right way to provide educational support for children with special needs.



If you need more information

about mediating conflicts that might arise over a child's special educational support, please contact:

Art Stewart
Coordinator of Mediation
Special Education Mediation Service
Virginia Department of Education
P. O. Box 2120
Richmond, VA 23218-2120
Phone: (804) 786-0711
Fax: (804) 371-8796



What if the mediation does not result in an agreement?

You may continue to pursue other avenues to settle outstanding issues, including continuing your negotiations, filing a complaint, or requesting due process.

The department has prepared descriptive videotapes to provide additional information about how mediation may be used in special education settings. The videotapes are available from:

Mr. Robert Traylor
Virginia Department of Education
P. O. Box 2120
Richmond, VA 23218-2120
Phone: (804) 225-2980

When Negotiations On Special Education Issues Are Difficult



MEDIATION

- **Makes Talk Productive**
- **Clarifies Issues**
- **Helps to Bridge the Gap**
- **Gets Results**

This brochure was developed by Art Stewart and the Virginia Board for People with Disabilities.

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What is mediation?

A neutral, impartial, trained mediator may be sought voluntarily by parents and school staff to assist in their negotiations with each other. That assistance to convene and conduct a meeting to clarify issues, focus on the needs of a child, explore and evaluate possible solutions in a confidential setting is mediation.



Who is the mediator?



Mediators are trained neutrals, skilled in helping people to hear and understand each other and to work jointly to find solutions to difficult issues in special education. Mediators do not take the role of anyone's advocate, but support and assist everyone in the negotiation process.

What are the advantages to choosing mediation?

It provides a timely and effective intervention for people whose views of a child's special needs, progress, or appropriate program are in conflict, making joint planning difficult.

It is a simple and easily used process with proven effectiveness in helping people to focus

on a child's current needs, explore the key issues and develop workable solutions.

Mediation helps people to comprehend each other's interests and concerns. It uncovers new information and encourages new thinking. It engages people's best negotiating and problem-solving skills.

Mediation seeks to maintain or reestablish productive working relationships among people in order to create circumstances where joint planning is possible.

Will the mediator decide what should be done?

Any decision will be in the form of a voluntary agreement between parents and school staff. The mediator will be active in helping to identify possible points of agreement. When you opt to try mediation you do not abandon your role to shape, choose, and consent to any settlement made.



What will the mediation cost?

The mediator's expense is paid by the Virginia Department of Education if you use its mediation system. Your cost is the time spent at mediation, which may be a few hours at most.

How can I request mediation?

Mediation will take place if parents and school staff agree to try it. Once that decision is agreed to, the school sends a request form to the Virginia Department of Education if the disputants want the department to be the provider of mediation services. The department will assign a mediator, who will contact the parties requesting mediation and schedule the mediation conference.



How should I prepare for mediation?

The purpose of mediation is to seek productive negotiations between parents and school staff over outstanding issues in special education for a child. Mediation provides the opportunity to discuss issues of mutual concern and reexamine conclusions that have been reached.

Plan to participate in and prepare to set aside the time for the mediation conference.

If you have any evaluations or other documents which shed light on the needs of the child, make sure that everyone has received them before the day of the mediation. This will enable people to have sufficient time to give them the attention and thought they deserve.

